



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/392,243	09/09/1999	JOHN H. LEE	27338	9819

27367 7590 11/22/2005

WESTMAN CHAMPLIN & KELLY, P.A.
SUITE 1400 - INTERNATIONAL CENTRE
900 SECOND AVENUE SOUTH
MINNEAPOLIS, MN 55402-3319

EXAMINER

PRATS, FRANCISCO CHANDLER

ART UNIT	PAPER NUMBER
----------	--------------

1651

DATE MAILED: 11/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
---------------------------------	-------------	---	---------------------

EXAMINER

ART UNIT	PAPER
----------	-------

11172005

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The amendment filed on November 9, 2005, amending the claims such that all pending claims are now drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because in the paper filed December 21, 2001, applicant explicitly elected for prosecution, without traverse, processes of preserving mucosa tissue. See Response of December 21, 2001, page 2. Because applicant now amends the claims to recite processes specifically non-elected in the response of December 21, 2001, the present amendment is non-responsive.

Specifically, the restriction requirement of October 25, 2001, required an election between methods of preserving mucosa tissue (group IV, claims 21-27) and various methods of preparing hydrolysates from mucosa tissue (groups I-III). As noted above, on December 21, 2001, applicant explicitly elected for prosecution, without traverse, processes of preserving mucosa tissue (group IV). The present amendment, filed November 9, 2005, clearly amends all of the pending claims to recite precisely the subject matter non-elected by applicant, without traverse, in the response filed December 21, 2001. This is clearly non-responsive to the last office action.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Francisco C. Prats
Primary Examiner
Art Unit: 1651